

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN SECTION OF TENNESSEE
WESTERN DIVISION

SCOTT TURNAGE , CORTEZ D. BROWN,
DEONTAE TATE, JEREMY S. MELTON, ISSACCA
POWELL, KEITH BURGESS, TRAVIS BOYD,
TERRENCE DRAIN, and KIMBERLY ALLEN on
behalf of themselves and all similarly situated persons,

PLAINTIFFS,

V.

BILL OLDHAM, in his individual capacity as former Sheriff of Shelby County, Tennessee; FLOYD BONNER, JR., in his official capacity as Sheriff of Shelby County, Tennessee; ROBERT MOORE, in his individual capacity as former Jail Director of Shelby County, Tennessee; KIRK FIELDS, in his official capacity as Jail Director of Shelby County, Tennessee; CHARLENE McGHEE, in her individual capacity as former Assistant Chief of Jail Security of Shelby County, Tennessee; REGINALD HUBBARD, in his official capacity as Assistant Chief of Jail Security of Shelby County, Tennessee; DEBRA HAMMONS, in her individual capacity as former Assistant Chief of Jail Programs of Shelby County, Tennessee; TIFFANY WARD in her official capacity as Assistant Chief of Jail Programs of Shelby County, Tennessee; SHELBY COUNTY, TENNESSEE, a Tennessee municipality; TYLER TECHNOLOGIES, INC., a foreign corporation; GLOBAL TEL*LINK CORPORATION, a foreign corporation; SOFTWARE AG USA, INC., a foreign corporation; and SIERRA-CEDAR, INC., a foreign corporation,

DEFENDANTS.

**Case No. 2:16-cv-2907-
SHM/tmp**

**CLASS ACTION
COMPLAINT FOR
VIOLATIONS OF THE
CIVIL RIGHTS ACT OF
1871, 42 U.S.C. § 1983,
TENNESSEE COMMON
LAW, DECLARATORY,
AND INJUNCTIVE RELIEF**

**JURY TRIAL DEMANDED
PURSUANT TO FED. R.
CIV. PRO. 38(a) & (b)**

**PLAINTIFFS' UNOPPOSED MOTION AND SUPPORTING MEMORANDUM FOR
EXTENSION OF TIME TO RESPOND TO DEFENDANT GLOBAL TEL*LINK
CORPORATION'S MOTION TO DISMISS PLAINTIFFS' FIFTH AMENDED
COMPLAINT**

COME NOW Plaintiffs Scott Turnage, Cortez D. Brown, Deontae Tate, Jeremy S. Melton, Issacca Powell, Keith Burgess, Travis Boyd, Terrence Drain, and Kimberly Allen, on behalf themselves and all similarly situated persons (hereinafter "the Plaintiffs"), by and through the undersigned counsel, and pursuant to Fed. R. Civ. P. 6 and 12 hereby move this Court to extend their time to respond to the Motion to Dismiss Plaintiffs' Fifth Amended Complaint (ECF No. 178) filed by Defendant Global Tel*Link Corporation (hereinafter "GTL"). In support of their Motion, Plaintiffs state as follows:

MEMORANDUM OF FACTS AND LAW IN SUPPORT OF MOTION

1. Plaintiffs' deadline to respond to GTL's Motion to Dismiss (ECF No. 178) is April 23, 2019.
2. This is a complex class action lawsuit filed on behalf of the Plaintiffs. The Class Action Complaint has been amended previously five times.
3. Plaintiffs are preparing a new Sixth Amended Complaint. Defendant Sierra-Cedar, Inc. has alleged comparative fault against a non-party in its "Answer to Plaintiffs' Fifth Amended Class Action Complaint." Plaintiffs have sought leave from this Court to file an amended complaint naming Sierra Systems Group, Inc. as a new defendant, thereby rendering GTL's Motion to Dismiss moot.
4. Pursuant to Local Rule 7.2(a)(1)(B), counsel for Plaintiffs consulted with counsel for GTL regarding this requested extension.
5. Counsel for GTL does not oppose this request for an extension of time to respond.

6. A proposed Order granting this Motion will be e-mailed to the Court for its consideration.

Therefore, Plaintiffs respectfully request that the Court extend their time to respond to GTL's Motion to Dismiss (ECF No. 178) the Fifth Amended Complaint by an additional week, or until April 30, 2019.

Respectfully submitted,

/s/ Brice Moffatt Timmons

Michael G. McLaren (#5100)
William E. Cochran, Jr. (#21428)
Brice M. Timmons (#29582)
BLACK McLAREN JONES RYLAND & GRIFFEE PC
530 Oak Court Drive, Suite 360
Memphis, TN 38117
(901) 762-0535 (Office)
(901) 762-0539 (Fax)
mclaren@blackmclaw.com
wcochran@blackmclaw.com
btimmons@blackmclaw.com

s/ William E. Routt

Frank L. Watson, III (Tenn. Bar No. 15073)
William F. Burns (Tenn. Bar No. 17908)
William E. Routt (Tenn. Bar. No. 28577)
WATSON BURNS, PLLC
253 Adams Avenue
Memphis, Tennessee 38104
Phone: (901) 529-7996
Fax: (901) 529-7998
Email: fwatson@watsonburns.com
Email: bburns@watsonburns.com
Email: wroutt@watsonburns.com

s/ Claiborne Ferguson

Claiborne Ferguson (Tenn. Bar No. 20457)
Attorney for Plaintiffs and the Class
THE CLAIBORNE FERGUSON LAW FIRM P.A.
294 Washington Avenue
Memphis, Tennessee 38103
Email: Claiborne@midsouthcriminaldefense.com

s/ Joseph S. Ozment

Joseph S. Ozment (Tenn. Bar No. 15601)
THE LAW OFFICE OF JOSEPH S. OZMENT, PLLC
1448 Madison Ave.
Memphis, Tennessee 38104
Phone: (901) 525-4357
Email: jozment@oz-law.net

*Counsel for Plaintiffs and the putative Class
Members*

CERTIFICATE OF SERVICE

I hereby certify that on this 23rd day of April, 2019, a true and correct copy of the foregoing pleading has been filed electronically with the Court's Electronic Case Filing System. Pursuant to the Court's ECF System, the following parties listed below are filing users who will receive notice of the foregoing document's filing:

Robert E. Craddock, Esq.
Odell Horton, Jr., Esq.
WYATT, TARRANT & COMBS, LLP
1715 Aaron Brenner Drive, Suite 800
Memphis, Tennessee 38120
(901) 537-1000
Email: rcraddock@wyattfirm.com
Email: ohorton@wyattfirm.com

Emmett Lee Whitwell, Esq.
SHELBY COUNTY ATTORNEY'S OFFICE
160 N. Main Street
Suite 950
Memphis, TN 38103
(901) 222-2100
Email: lee.whitwell@shelbycountyttn.gov

Counsel for Defendants Bill Oldham, Floyd Bonner, Jr., Robert Moore, Kirk Fields, Charlene McGhee, Reginald Hubbard, Debra Hammons, Tiffany Ward, and Shelby County, Tennessee

Counsel for Defendants Bill Oldham, Floyd Bonner, Jr., Robert Moore, Kirk Fields, Charlene McGhee, Reginald Hubbard, Debra Hammons, Tiffany Ward, and Shelby County, Tennessee

Bradley E. Trammell, Esq.
BAKER, DONELSON, BEARMAN,
CALDWELL & BERKOWITZ, P.C.
165 Madison Avenue, Suite 2000
Memphis, Tennessee 38103
(901) 577-2121
Email: btrammell@bakerdonelson.com

Beth Bivans Petronio, Esq.
K&L GATES, LLP
1717 Main Street
Suite 2800
Dallas, Texas 75201
(214) 939-5815
Email: beth.petronio@klgates.com

Counsel for Defendant Tyler Technologies, Inc.

Counsel for Defendant Tyler Technologies, Inc.

Douglas F. Halijan
William David Irvine
BURCH PORTER & JOHNSON
130 N. Court Avenue
Memphis, TN 38103-2217
(901) 524-5000
Email: dhalijan@bpjlaw.com
Email: wirvine@bpjlaw.com

Russell Brandon Bundren
James L. Murphy
BRADLEY ARANT BOULT CUMMINGS LLP
1600 Division Street, Suite 700
Nashville, TN 37203
(615) 252-4647
Email: bbundren@babco.com
Email: jmurphy@bradley.com

Counsel for Defendant Software AG Cloud Americas, Inc.

Counsel for Defendant Global TelLink Corporation

Albert G. McLean
Kevin David Bernstein
SPICER RUDSTROM PLLC
119 S. Main Street, Suite 700
Memphis, TN 38103
901-522-2324
Email: amclean@spicerfirm.com
Email: kdb@spicerfirm.com

Counsel for Defendant Sierra-Cedar, Inc.

/s/ William E. Cochran, Jr.